

MONDAY, MARCH 27, 2000

SIXTY-SIXTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McDonald.

Representative McDonald led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Davidson; personal reasons.

Representative Hassell; personal reasons.

Representative Jackson; personal reasons.

Representative Kerr; business reasons.

Representative Williams; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2408: Rep(s). Bowers as prime sponsor(s).

House Bill No. 2872: Rep(s). Langster as prime sponsor(s).

House Bill No. 2914: Rep(s). Langster as prime sponsor(s).

House Bill No. 3143: Rep(s). Tindell as first prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 558** -- Memorials, Government Officials - Urges department of children's services to evaluate and implement changes to improve efficiency of Child Protective Investigative Teams (CPITs). by *Fowlkes.

House Children and Family Affairs Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 30, 2000:

House Resolution No. 173 -- Memorials, Academic Achievement - Mary McNeill, MLGW Law Explorers Mock Trial Team. by *Brooks.

House Resolution No. 174 -- Memorials, Academic Achievement - Cassie Ford, MLGW Law Explorers Mock Trial Team. by *Brooks.

House Resolution No. 175 -- Memorials, Academic Achievement - April Williams, MLGW Law Explorers Mock Trial Team. by *Brooks.

House Resolution No. 176 -- Memorials, Academic Achievement - Bianca Jefferson, MLGW Law Explorers Mock Trial Team. by *Brooks.

House Resolution No. 177 -- Memorials, Academic Achievement - Jeremy Peoples, MLGW Law Explorers Mock Trial Team. by *Brooks.

House Resolution No. 178 -- Memorials, Academic Achievement - Zephaniah Holt, MLGW Law Explorers Mock Trial Team. by *Brooks.

House Resolution No. 179 -- Memorials, Academic Achievement - Tamara Young, MLGW Law Explorers Mock Trial Team. by *Brooks.

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House Resolution No. 180 -- Memorials, Academic Achievement - Michael Pollion, MLGW Law Explorers Mock Trial Team. by *Brooks.

House Joint Resolution No. 563 -- Memorials, Sports - Corey Moore, Virginia Tech football player. by *Fitzhugh.

House Joint Resolution No. 565 -- Memorials, Public Service - Bartlett Chamber of Commerce, 20th anniversary. by *Hargett, *Pleasant.

House Joint Resolution No. 566 -- Memorials, Sports - 1999-2000 Cosby High School boys' basketball team, TSSAA Class A state champion. by *Davis (Cocke).

House Joint Resolution No. 568 -- Memorials, Sports - Portland High School football team. by *McDonald, *Black.

House Joint Resolution No. 570 -- Memorials, Public Service - William Walter Farris. by *Chumney, *Naifeh, *DeBerry L, *Armstrong, *Turner (Shelby), *Hargrove, *Kisber, *Bowers, *DeBerry J, *Jones U (Shelby), *Kernell, *Todd, *Miller L, *Pleasant, *Brooks, *Cooper B, *Towns, *Hargett, *Kent, *Cole (Carter).

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 30, 2000:

Senate Joint Resolution No. 537 -- Memorials, Retirement - Dr. Angelo Volpe, President, Tennessee Technological University. by *Burks, *Harper, *Womack, *Henry, *Kyle, *Rochelle, *Crowe, *Davis L, *Cohen.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3299 -- Piperton - Subject to local approval, authorizes levy and collection of privilege tax on new development. by *Walley.

House Bill No. 3300 -- Cumberland Gap - Subject to local approval, rewrites charter. Amends Chapter 210 of the Acts of 1907; as amended. by *Goins.

House Bill No. 3301 -- Sevier County - Subject to local approval, authorizes advisory referendum on whether to adopt county zoning. by *Montgomery.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3304 and 3307, was/were referred to the Delayed Bills Committee.

***House Bill No. 3304** -- Taxes, Gasoline, Petroleum Products - Earmarks funds from gasoline tax for wildlife resources fund in addition to existing funds for Boating Safety Act of 1965. Amends TCA Title 67, Chapter 3. by *Bittle, *Tidwell, *Stulce, *McCord, *Curtiss.

House Bill No. 3307 -- Courts, New Jurisdiction - Subject to local approval, confers upon general sessions court in Morgan County concurrent jurisdiction with circuit court over domestic relations, mental health commitment and probate cases. Amends TCA Section 16-15-5004. by *Windle. (*SB3289 by *Davis L)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3298 -- Sumner County -- Local Bill Held on House Desk

CONSENT CALENDAR

***House Bill No. 2127** -- Equalization Board - Allows state board of equalization to rule that property which has been assessed for property taxation in one county for five years or more shall be located in different county in certain circumstances. Amends TCA Section 5-2-115 and Section 67-5-806. by *Ridgeway. (SB2322 by *Kurita, *Springer)

On motion, House Bill No. 2127 was made to conform with **Senate Bill No. 2322**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2095** -- Probation and Parole - Allows court, in misdemeanor cases, to require defendant to pay any and all costs for defendant's supervision, counseling and treatment while on probation, based on defendant's ability to pay. Amends TCA Section 40-35-303. by *Westmoreland. (SB2366 by *Ramsey)

House Bill No. 2631 -- Hospitals and Health Care Facilities - Declares that any hospital satisfying standards established by Joint Commission on Accreditation of Healthcare Facilities relative to timeliness of medical records deemed to comply with state facility licensing board relative to timeliness of records. Amends TCA Title 68, Chapter 11, Part 2. by *Walley. (*SB2174 by *Cooper)

On motion, House Bill No. 2631 was made to conform with **Senate Bill No. 2174**; the Senate Bill was substituted for the House Bill.

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***House Bill No. 2037** -- Psychologists - Reduces from 30 to 12 days time psychologist licensed in another state can practice in Tennessee each year; removes requirements of written authorization and supervision by Tennessee psychologists; substitutes term provisional license for limited license. Amends TCA Title 63, Chapter 11. by *Walley. (SB2085 by *Graves)

House Bill No. 2630 -- Hospitals and Health Care Facilities - Authorizes board to issue temporary suspension of health care facility license at request of licensee if board finds that licensee has need for temporary suspension and licensee intends to continue operations after suspension period. Amends TCA Title 68, Chapter 11, Part 2. by *Walley. (*SB2175 by *Cooper)

On motion, House Bill No. 2630 was made to conform with **Senate Bill No. 2175**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2257** -- Contractors - Removes Meigs County from general contractor law. Amends TCA Section 62-6-102. by *Newton. (SB2987 by *Elsa)

On motion, House Bill No. 2257 was made to conform with **Senate Bill No. 2987**; the Senate Bill was substituted for the House Bill.

House Bill No. 2774 -- Tennessee Student Assistance Corporation - Provides that loan reserves of Tennessee student assistance corporation must be maintained at minimum levels required by federal law. Amends TCA Title 49, Chapter 4. by *Davidson. (*SB2948 by *Womack, *Williams)

On motion, House Bill No. 2774 was made to conform with **Senate Bill No. 2948**; the Senate Bill was substituted for the House Bill.

***House Bill No. 3020** -- Explosives - Requires notification for certain blasting activities; requires special precautions near utilities and congested areas; establishes other requirements and guidelines regarding explosives and blasting. Amends TCA Title 68, Chapter 105, Part 1. by *Westmoreland, *Sargent. (SB3092 by *Clabough)

House Bill No. 2988 -- Utilities, Utility Districts - Clarifies entities which constitute "local government." Amends TCA Section 67-3-2001. by *Bone. (*SB3051 by *Rochelle)

***Senate Joint Resolution No. 71** -- Memorials, Congress - Urges study relative to increasing number of ethnicity categories used for educational data reporting. by *Dixon.

House Resolution No. 165 -- Memorials, Personal Achievement - Dustin Ashley Stutts, Eagle Scout. by *Hagood.

House Resolution No. 167 -- Memorials, Personal Achievement - Ethan Darrell Hanson, Eagle Scout. by *Rinks.

House Resolution No. 169 -- Memorials, Personal Occasion - Mr. and Mrs. Alex Damron, Jr., 50th Wedding Anniversary. by *Bunch.

House Resolution No. 170 -- Memorials, Recognition - Youth With A Mission and Frank Naea, President. by *Davidson.

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House Resolution No. 172 -- Memorials, Personal Occasion - Mr. and Mrs. Maynard Bean, 50th Wedding Anniversary. by *Goins.

House Joint Resolution No. 542 -- Memorials, Recognition - Russian Real Estate Professionals, Productivity Enhancement Program. by *Eckles, *Hood.

House Joint Resolution No. 543 -- Memorials, Academic Achievement - Amy Smithers, Salutatorian, Campbell County High School. by *Baird.

House Joint Resolution No. 544 -- Memorials, Academic Achievement - Emily Thomas, Salutatorian, Campbell County High School. by *Baird.

House Joint Resolution No. 545 -- Memorials, Academic Achievement - Cindy Rutherford, Campbell County High Valedictorian. by *Baird.

House Joint Resolution No. 546 -- Memorials, Academic Achievement - Michael Kenik, Valedictorian, Campbell County High School. by *Baird.

House Joint Resolution No. 547 -- Memorials, Academic Achievement - Danielle Seiber, Valedictorian, Stony Fork High School. by *Baird.

House Joint Resolution No. 548 -- Memorials, Academic Achievement - Ashley Carter, Valedictorian, Campbell County High School. by *Baird.

House Joint Resolution No. 549 -- Memorials, Academic Achievement - Lola Marlow, Salutatorian, Stony Fork High School. by *Baird.

House Joint Resolution No. 550 -- Memorials, Academic Achievement - Tonya Kaye Gibson, Salutatorian, Stony Fork High School. by *Baird.

House Joint Resolution No. 552 -- Memorials, Sports - Daniel Bolton, Deaf Silent News football All-American. by *Hagood.

House Joint Resolution No. 553 -- Memorials, Sports - 1999 South Fulton High School boys' basketball team, TSSAA Class A state champions. by *Pinion.

House Joint Resolution No. 554 -- Memorials, Sports - E.O. Coffman Middle School Lady Panthers basketball team. by *White.

House Joint Resolution No. 555 -- Memorials, Recognition - George Henry Nixon, founder of Etheridge. by *White.

House Joint Resolution No. 556 -- Memorials, Recognition - "Birthplace of Southern Gospel Music," Lawrenceburg. by *White.

House Joint Resolution No. 557 -- Memorials, Death - Judge Ottis Knippers. by *White.

House Joint Resolution No. 559 -- Memorials, Academic Achievement - Ami Goins, Valedictorian, Campbell County High School. by *Baird.

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House Joint Resolution No. 560 -- Memorials, Academic Achievement - Erica Talley, Salutatorian, Campbell County High School. by *Goins.

House Joint Resolution No. 561 -- Memorials, Academic Achievement - Darrell Douglas, Valedictorian, Campbell County High School. by *Goins.

House Joint Resolution No. 562 -- Memorials, Academic Achievement - Amy Pierce, Salutatorian, Campbell County High School. by *Goins.

OBJECTION – CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 3020: by Rep. Odom

Under the rules, House Bill No. 3020 was/were placed at the foot of the calendar for March 30, 2000.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

REGULAR CALENDAR

***Senate Bill No. 2297** -- Massage - Exempts practice of reflexology from massage therapists licensure requirements. Amends TCA Title 63, Chapter 18, Part 2. by *Atchley. (HB2717 by *Armstrong)

Further consideration of Senate Bill No. 2297 previously considered on March 20, 2000, at which time it was reset for today's Calendar.

Rep. Armstrong moved that Senate Bill No. 2297 be reset for the Regular Calendar on March 30, 2000, which motion prevailed.

House Bill No. 2516 -- Fireworks - Allows sale of Class C common fireworks by previously licensed retailers and seasonal retailers when county's population grows to over 200,000. Amends TCA Section 68-104-112. by *Hood, *Eckles. (*SB2128 by *Womack)

Rep. Hood moved that **House Bill No. 2516** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 2694 -- Cooperatives - Removes prohibition against members voting by mail at directorate district meeting. Amends TCA Section 65-25-208. by *Walker (Rhea), *Curtiss. (*SB2622 by *Davis L)

On motion, House Bill No. 2694 was made to conform with **Senate Bill No. 2622**; the Senate Bill was substituted for the House Bill.

Rep. Walker moved that Senate Bill No. 2622 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Walker moved that **Senate Bill No. 2622** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 2643 -- Corporations, For Profit - Enables corporation to convert to limited liability company; establishes procedure for accomplishing such conversion. Amends TCA Title 48, Chapter 21, and Chapters 201-248. by *McMillan. (*SB2556 by *Cooper)

On motion, House Bill No. 2643 was moved to the heel of the Calendar.

House Bill No. 2659 -- Campaigns - Decreases time a multicandidate political campaign committee other than committee controlled by political party shall make contribution to any candidate from ten days before election to 14 days before election. Amends TCA Title 2, Chapter 10. by *McMillan. (*SB2697 by *Cooper)

On motion, House Bill No. 2659 was moved to the heel of the Calendar.

House Bill No. 2146 -- Criminal Procedure - Clarifies that \$50.00 fee charged defendant petitioning for expungement of records following dismissal of criminal charges applicable only if dismissal is result of successful completion of pretrial diversion. Amends TCA Title 40, Chapter 32. by *Ferguson, *McMillan. (*SB2148 by *Davis L)

Rep. Ferguson moved that House Bill No. 2146 be reset for the Regular Calendar on March 30, 2000, which motion prevailed.

House Bill No. 2876 -- Fire Prevention and Investigation - Increases penalties for violation of statutory requirements for alarm system contractors; modifies insurance coverage documentation and reporting requirements. Amends TCA Title 62, Chapter 32. by *Cole (Dyer). (*SB3005 by *Haynes)

Rep. Cole (Dyer) moved that House Bill No. 2876 be reset for the Regular Calendar on April 3, 2000, which motion prevailed.

House Bill No. 2779 -- Real Estate Agents and Brokers - Makes changes to renewal and registration requirements for real estate brokers and individuals who sell timeshares Amends TCA Section 62-13-307 and Title 66, Chapter 32. by *Kent. (*SB2806 by *Person)

Rep. Kent moved that House Bill No. 2779 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2779 by deleting all language following the enacting clause of the printed bill and by substituting the following:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 32, is amended by adding the following new appropriately designated section:

Section 66-32-___. Notwithstanding any other provision of law to the contrary, all documentation and fees which are a prerequisite to the renewal of a license or registration shall be delivered to the commission no later than sixty (60) days prior to the expiration date of the license or registration.

Section 2. Tennessee Code Annotated, Section 62-13-307, is amended by deleting the section in its entirety and substituting instead the following:

Notwithstanding any other provisions of law to the contrary, all licenses issued under this chapter shall expire on December 31 of each even-numbered year. All documentation and fees which are a prerequisite to the renewal of a license or registration shall be delivered to the commission no later than sixty (60) days prior to the expiration date of the license.

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Kent moved that **House Bill No. 2779**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 90
Noes 0

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

***House Bill No. 2408** -- Hazardous Materials - Creates Class A misdemeanor offense, punishable by fine of \$2,500 for leaving truck containing hazardous materials unsecured or unattended in residential area. Amends TCA Title 55 and Title 68, Chapter 212. by *Langster, *Jones, S., *Pruitt. (SB2783 by *Ramsey)

Rep. Langster moved that House Bill No. 2408 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2408 By inserting in subsection (b)(1) of the amendatory language of Section 1 the language ", or within one thousand feet (1000') of any church, school or park" between the words "in any residential area" and the punctuation ".".

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2408 by deleting from the amendatory language of Section 1 the language "containing hazardous waste, including, but not limited to, medical waste, in any residential area." and inserting instead the following language:

containing "medical waste", as defined in rules promulgated under Sections 68-211-101 -- 68-211-122, in any residential area.

AND FURTHER AMEND in the amendatory language of Section 1 by adding the following new subdivision at the end of the new subsection (b):

(3) Nothing in this act shall alter the liability imposed by any other provision of law for unlawful disposal of medical waste

On motion, Conservation and Environment Committee Amendment No. 2 was adopted.

Rep. Langster moved that **House Bill No. 2408**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	87
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives present and not voting were: Cooper -- 1.

A motion to reconsider was tabled.

House Bill No. 2453 -- Medical Occupations - Revises authority of board of respiratory care to delete temporary licenses, to authorize the issuance of subpoenas, to impose restrictions on licenses, and to issue private rulings upon request of licensees; increases continuing education requirements from 12 hours every two years to ten hours every year. Amends TCA Title 63, Chapter 27. by *Davis (Washington). (*SB2255 by *Rochelle)

On motion, House Bill No. 2453 was made to conform with **Senate Bill No. 2255**; the Senate Bill was substituted for the House Bill.

Rep. Davis (Washington) moved that **Senate Bill No. 2255** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

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Representatives present and not voting were: Brown -- 1.

A motion to reconsider was tabled.

House Bill No. 2872 -- Boards and Commissions - Requires members of all boards, commissions, councils, agencies, panels or other governmental entities regulating professions, services or otherwise to reside in state. Amends TCA Title 4; Title 62 and Title 63. by *DeBerry L. (*SB2460 by *Ford J)

Rep. L. DeBerry moved that House Bill No. 2872 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2872 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply to persons who are currently serving as members on the effective date of this act until such member's term expires.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. L. DeBerry moved that **House Bill No. 2872**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

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***House Bill No. 3143** -- Equalization Board - Deletes prohibition for state legislative or executive officials or state employees to serve on county board of equalization; limits eligibility of state employees to those whose employment does not involve property tax assessments. Amends TCA Section 67-1-401. by *Jones U (Shelby), *Tindell. (SB3205 by *Dixon)

Rep. Tindell moved that House Bill No. 3143 be reset for the Regular Calendar on April 3, 2000, which motion prevailed.

House Bill No. 2643 -- Corporations, For Profit - Enables corporation to convert to limited liability company; establishes procedure for accomplishing such conversion. Amends TCA Title 48, Chapter 21, and Chapters 201-248. by *McMillan. (*SB2556 by *Cooper)

On motion, House Bill No. 2643 was made to conform with **Senate Bill No. 2556**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 2556 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 2556** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 2659 -- Campaigns - Decreases time a multicandidate political campaign committee other than committee controlled by political party shall make contribution to any candidate from ten days before election to 14 days before election. Amends TCA Title 2, Chapter 10. by *McMillan. (*SB2697 by *Cooper)

Rep. McMillan moved that House Bill No. 2659 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2659 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-10-105, is amended by adding the following as an appropriately designated subsection:

() Any state or local political party that controls or operates one or more political campaign committees shall report all receipts and disbursements by the party in the same manner and at the same time that it reports contributions and expenditures by the party's political campaign committee.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Hargett moved adoption of Amendment No. 1 to Amendment No. 1 as follows:

Amendment No. 1 to 1

AMEND Amendment No. 1 by adding the language "or caucus of such political party established by members of either house of the general assembly" in the amendatory language of Section 1, as amended by House State & Local Government Committee Amendment No. 1, after the language "local political party".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. U. Jones moved that Amendment No. 1 as amended, be adopted which motion prevailed.

Rep. McMillan moved that **House Bill No. 2659**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILL RECALL

Rep. Newton requested that House Bill No. 417 be recalled from the Judiciary Committee and held on the Clerk's desk as a Caption Bill, which motion prevailed.

RULES SUSPENDED

Rep. Brown moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 564 out of order, which motion prevailed.

House Joint Resolution No. 564 -- Naming and Designating - National Association of Social Workers' "Day on the Hill", March 29, 2000. by *Brown.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brown, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Turner (Hamilton), **House Bill No. 3215** was recalled from the Consumer and Employee Affairs Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Patton moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 569 out of order, which motion prevailed.

House Joint Resolution No. 569 -- Memorials, Recognition - Honors Tennessee State Guard. by *Patton.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Patton, with the request that all members voting aye be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

On motion of Rep. Hargrove, and seconded by Rep. McDaniel, the rules were suspended to allow House Bill(s) No(s). 2579, 2379, 3198 and 3199 to be heard in the Industrial Impact Subcommittee and for House Bill(s) No(s). 128 to be heard in the full Judiciary Committee.

BILL RECALL

Rep. Windle requested that House Bill No. 2254 be recalled from the Senate, which motion prevailed.

RULES SUSPENDED

On motion of Rep. Hargrove and seconded by Rep. McDaniel, **Rule No. 80(1)** was suspended so that all bills reported out of the Judiciary Committee on Wednesday, March 29, 2000 could be heard in the next committee or subcommittee the following week.

BILLS WITHDRAWN

On motion of Rep. J. DeBerry, **House Bill No. 1820** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. J. DeBerry, **House Bill No. 1822** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. J. DeBerry, **House Bill No. 1824** was recalled from the Commerce Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2738: Rep(s). Hood as prime sponsor(s).

House Bill No. 2916: Rep(s). Langster as prime sponsor(s).

House Bill No. 2917: Rep(s). Langster as prime sponsor(s).

House Bill No. 2918: Rep(s). Langster as prime sponsor(s).

House Bill No. 2919: Rep(s). Langster as prime sponsor(s).

House Bill No. 2921: Rep(s). Langster as prime sponsor(s).

House Bill No. 3019: Rep(s). Head as prime sponsor(s).

House Bill No. 3058: Rep(s). West, Arriola, Pruitt, Lewis, S. Jones, Rhinehart, Cooper, Curtiss, Fowlkes, Head, Odom, Caldwell, Hood, Bone, Kisber, McMillan, Langster, Ferguson, Eckles, Windle, Towns, McDonald and Briley as prime sponsor(s).

House Bill No. 3071: Rep(s). McMillan as prime sponsor(s).

House Bill No. 3140: Rep(s). Naifeh as prime sponsor(s).

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ENGROSSED BILLS

March 27, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 569.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

March 27, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2037, 2095, 2408, 2516, 2659, 2779, 2872, 2988, also, House Joint Resolution(s) No(s) 542, 543, 544, 545, 546, 547, 548, 549, 550, 552, 553, 554, 555, 556, 557, 559, 560, 561, 562 and 564.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 27, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2799; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 400; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3288, 3289, 3291, 3293 and 3294; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 551; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
March 27, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 569; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
March 27, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 874 and 2316; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
March 27, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2268, 2339, 2645, 2680 and 3037; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
March 27, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 620; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

***Senate Joint Resolution No. 620** -- Memorials, Government Officials - Urges department of education to prepare and provide to all public schools guide to legally permissible practices for disclosure and sharing of student disciplinary information among educators. by *Burks.

**MESSAGE FROM THE SENATE
March 27, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2039, 2135, 2592, 2877, 3158 and 3271; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

***Senate Bill No. 2039** -- Sunset Laws - Department of economic and community development, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Springer. (HB2084 by *Kernell, *Garrett, *Brooks)

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***Senate Bill No. 2135** -- Criminal Offenses - Revises penalty for passing stopped school bus from Class B to Class A misdemeanor, punishable by fine only of not less than \$250 nor more than \$1,000. Amends TCA Section 55-8-151. by *Graves. (HB2212 by *McDonald, *Hood, *Patton, *Bone, *Williams (Williamson), *Head, *Davidson, *Newton, *Maddox, *Fitzhugh)

***Senate Bill No. 2592** -- Education, Higher - Requires any institution of University of Tennessee or state board of regents system that receives funds from credit card distributions to students or uses school logs to report amount of funds received and how such funds were used to joint oversight committee on education. Amends TCA Title 49, Chapter 7. by *Ford J. (HB2958 by *DeBerry L)

Senate Bill No. 2877 -- Contractors - Specifies that delinquent payments or nonpayments made to or by contractors, subcontractors or materialmen will be subject to statutory rate of interest (presently 10 percent per annum) if applicable contract does not specify rate of interest. Amends TCA Section 66-34-601. by *Atchley. (*HB2390 by *Hagood)

Senate Bill No. 3158 -- Insurance, Health, Accident - Permits ten or more employers of same trade or professional association who meet certain requirements to enter into agreement to pool liabilities to qualify as self-insurers; authorizes commissioner of commerce and insurance to promulgate necessary rules and regulations. Amends TCA Title 56, Chapter 26. by *Rochelle, *Cooper, *Elsea, *Carter, *Crutchfield, *Henry, *Graves, *Burchett, *Burks, *Atchley, *Haynes, *Ford J, *Williams, *Springer. (*HB3082 by *Rhinehart, *Head, *Cole (Dyer), *Cole (Carter), *McKee, *Phelan, *Curtiss, *Turner (Hamilton), *Hassell, *Gunnels, *Kent, *Scroggs, *Sands, *Briley, *Jones U (Shelby), *McMillan, *Towns, *Buck, *Turner (Shelby), *Jones, S., *Buttry)

Senate Bill No. 3271 -- Bristol - Subject to local approval, allows city council to prohibit sale of admission tickets to events located within city limits for more than face value (ticket scalping); authorizes establishment of civil penalty for violation. Amends Chapter 84 of the Private Acts of 1991; as amended. by *Ramsey. (HB3286 by *Mumpower, *Godsey)

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

MONDAY, MARCH 27, 2000 – SIXTY-SIXTH LEGISLATIVE DAY

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, March 30, 2000.